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6 Attorneys for Defendant
 United States of America
 7

FILED

2008 MAY 14 AM 10:44

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIABY KWIK DEPUTY

8 UNITED STATES DISTRICT COURT
 9 SOUTHERN DISTRICT OF CALIFORNIA

10 ALVIN HENNINGTON, JR.)
 11)
 12 Plaintiff,)
 13)
 14 v.)
 15 U.S. CUSTOMS AND BORDER)
 PROTECTION)
 16 Defendant.)

Case No. '08 CV 0859 SLS BLM

17 NOTICE OF REMOVAL OF A CIVIL
 18 ACTION

19 The United States of America, by and through U.S. Customs and Border Protection ("CBP"), by
 20 its attorneys Karen P. Hewitt, United States Attorney, and Christopher B. Latham, Assistant U.S.
 Attorney, hereby respectfully notices the removal of the above-captioned civil action from the Superior
 Court of California, County of San Diego. Removal is noticed on the following grounds:

21 1. An agency of the United States, CBP is named as a defendant in the above-captioned case
 22 originally filed as Case No. 37-2008-00081249-CU-CR-CTL in the Superior Court of California, County
 23 of San Diego. The Summons and Complaint were served on CBP on April 14, 2008.

24 2. Removal of this case is appropriate under 28 U.S.C. sections 1441, 1442 and 1446
 25 because an agency of the United States is a defendant in the action. Section 1442(a)(1) provides for
 26 removal in cases commenced in a state court against the United States, its agencies and officers.
 27 Accordingly, this suit is properly subject to removal, without bond, under 28 U.S.C. section 1442(a)(1).
 28 This is so because the action to be removed is pending in a state court located within this judicial district.

ORIGINAL

1 3. As a further basis for removal, it also is anticipated that the United States may raise
2 several defenses to the Complaint, including but not limited to, the following: (1) the United States'
3 sovereign immunity as to certain claims; and (2) the failure of Plaintiff to exhaust his administrative
4 remedies.

5 4. Copies of the Plaintiff's original Summons and Complaint served on CBP are attached
6 as Exhibit 1 in compliance with the provisions of 28 U.S.C. section 1446(a).

7 WHEREFORE, this action now pending in the Superior Court of California, County of San
8 Diego, is hereby properly removed therefrom to this Court.

9
10 Dated: May 14, 2008.

Respectfully submitted,

KAREN P. HEWITT
United States Attorney

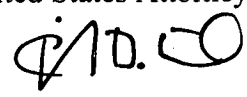

CHRISTOPHER B. LATHAM
Assistant U.S. Attorney
Attorneys for Defendant
United States of America

EXHIBIT 1

SUMMONS for Amended Complaint (CITACION JUDICIAL)

NOTICE TO DEFENDANT: *U.S. Custom/Border Protection*
(AVISO AL DEMANDADO):

YOU ARE BEING SUED BY PLAINTIFF: *ALVIN HENNINGTON JR.*
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

2008 APR -8 PM 12:13

SAN DIEGO COUNTY, CA

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

- ☒ HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101-3827
- ☐ NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081-6643
- ☐ EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020-3941
- ☐ RAMONA BRANCH, 1428 MONTECITO RD., RAMONA, CA 92065-5200
- ☐ SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910-5649
- ☐ JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123-2792

The name, address, bar #, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección, y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

ALVIN HENNINGTON JR.
5170 C. E. MORRIS ST. BLVD UNIT 4 SAN DIEGO, CA 92117

CLERK OF THE SUPERIOR COURT

DATE: *APRIL 8-08*
(Fecha)

APR 08 2008

Clerk, by _____
(Secretario)

CASE NUMBER: *37-2008-00081249-*
(Número del Caso):

CU-CR-CTL

D. SMITH

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):
4. ☐ by personal delivery on (date):

(SEAL)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): ALvin Hennington JR. 5170 Clairmont mesa BLVD unit 4 San Diego, ca. 92117-1465 TELEPHONE NO: (619) 495-0695 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): TNProper	FOR COURT USE ONLY 2008 APR -8 PM 12:13 CLERK OF SUPERIOR COURT CENTRAL DIVISION SAN DIEGO COUNTY, CA
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input checked="" type="checkbox"/> HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101-3827 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081-6643 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020-3941 <input type="checkbox"/> RAMONA BRANCH, 1428 MONTECITO RD., RAMONA, CA 92065-5200 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910-5649	
PLAINTIFF: ALvin Hennington JR. DEFENDANT: U. S. Customs/Border Protection <input checked="" type="checkbox"/> DOES 1 TO 1	
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input checked="" type="checkbox"/> AMENDED (Number): 1 Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Conflict of Interest 188248 <input checked="" type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death 5 counts of Breaking and Entering, Malicious Prosecution 2882680, 1881361 et seq. <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify): Psychological Torture 1883672	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	CASE NUMBER: 37-2008-00081249- CU-CR-CTL

1. Plaintiff (name or names): **ALvin Hennington JR.**

alleges causes of action against defendant (name or names):

U. S. Customs/Border Protection

2. This pleading, including attachments and exhibits, consists of the following number of pages: **4**

3. Each plaintiff named above is a competent adult

a. ☐ except plaintiff (name):

(1) ☐ a corporation qualified to do business in California

(2) ☐ an unincorporated entity (describe):

(3) ☐ a public entity (describe):

(4) ☐ a minor ☐ an adult

(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) ☐ other (specify):

(5) ☐ other (specify):

b. ☐ except plaintiff (name):

(1) ☐ a corporation qualified to do business in California

(2) ☐ an unincorporated entity (describe):

(3) ☐ a public entity (describe):

(4) ☐ a minor ☐ an adult

(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) ☐ other (specify):

(5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE:

CASE NUMBER:

4. ☐ Plaintiff (name):
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a. ☒ except defendant (name): *US Customs
Border Protection*
- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☒ other (specify): *[Government entity]
Federal Law Enforcement
A Div. of Dept of Homeland
Security*

- b. ☐ except defendant (name):
- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- c. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- d. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

- a. ☐ Doe defendants (specify Doe numbers): *8 People A.H.* were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. ☒ Doe defendants (specify Doe numbers): *18 People* are persons whose capacities are unknown to plaintiff.

7. ☒ Defendants who are joined under Code of Civil Procedure section 382 are (names): *San Diego Police Dept,
Federal Bureau of Investigation, Port of San Diego [San Diego Unified Port District]*

8. This court is the proper court because

- a. ☒ at least one defendant now resides in its jurisdictional area.
b. ☒ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.
d. ☒ other (specify): *Conflict of Interest 18,248, Civil Rights Conspiracy 42 § 1985
ET seq. Adults with Disabilities 29 § 701 NTE on 13078 conspiracy 18 § 241 §
1362, 1363 § 3050*

9. ☒ Plaintiff is required to comply with a claims statute, and

- a. ☒ has complied with applicable claims statutes, or *Conflict of Interest 18 § 248*
b. ☐ is excused from complying because (specify):

SHORT TITLE:

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
 b. ☒ General Negligence
 c. ☒ Intentional Tort
 d. ☐ Products Liability
 e. ☐ Premises Liability
 f. ☒ Other (specify):

*Conflict of Interest 18§248
 Sodomy, RAPE, Death threats, The use of Agents with a Background
 in Psychiatry or Psychology 18§3672, 3552, Adults with Disabilities 29§701N
 Eon 13078, Stalking 42§14071 ET seq. Defendants or People on Behalf of
 Defendants Punished me for filing Paperwork [Ex Parte] in case #
 GIC 873566*

11. Plaintiff has suffered

- a. ☒ wage loss
 b. ☐ loss of use of property
 c. ☐ hospital and medical expenses
 d. ☒ general damage
 e. ☒ property damage
 f. ☐ loss of earning capacity
 g. ☒ other damage (specify):

*Defendants were involved in my getting Fired from Job
 Defendants AT 5170 CLAIMED MRS. BLUO #21 and 9,5, stole court
 Paperwork
 Defendants moved into my complex one month
 after case GIC 873566 went into Default, moved in above my Residence
 and across from me. Conflict of Interest 18§248, 42§198 ET seq.*

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
 b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

yes

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
 (2) ☒ punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) ☐ according to proof
 (2) ☒ in the amount of: \$ ~~Eight hundred and fifty million~~ 850,000,000.00

eight hundred and Fifty Million Dollars

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: APRIL 8, 2008

Alvin Hennington JR.

(TYPE OR PRINT NAME)

Alvin Hennington Jr.

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE:

NUMBER: 37-2008-

00081249-CU-CR-CTL

ATTACHMENT (Number):

Page of

(This Attachment may be used with any Judicial Council form.)

(Add pages as required)

*Conflict of Interest**Psychiatry and Psychiatrists**Admin. office of U.S. Courts, contracts 18§3672 §3552, 3663**Sentence and Punishment 28§334 Malicious Prosecution 28§2680, 18**§1361 et seq Conspiracy 18§§1362, 1363 §3050 Civil Rights conspiracy 42§1985**et seq. Definition 18§248 Federal Housing Finance Board Directions 12§1422, a**Federal Labor Relations Authority 5§7104 Telecommunications, mobile**Services, Taxation 4§126, 15§1355, 22§6435 a Congress, contracts 41§22**Labor, workforce, Employment, Investment Board 1029§§2821, 2832, 5§1201**Aged Persons 42§3058 h. Confiscation Generally 50§212 et seq, NAT. BANKS 12§11,**Securities Exchange ACT. 15§78x, Medical Devices, inspection and inspectors**21§374*

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

DEBTOR OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Alvin Hennington JR. 5170 Clairmont mesa BLVD Unit 4 San Diego, Ca. 92117 TELEPHONE NO: (619) 495-0695 E-MAIL ADDRESS (Optional): FAX NO. (Optional): ATTORNEY FOR (Name): IN PROPER		FOR COURT USE ONLY FILED CIVIL BUSINESS OFFICE 16 CENTRAL DIVISION 08 APR -3- PM 4:13 CLERK OF SUPERIOR COURT SAN DIEGO COUNTY, CA
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 330 West Broadway MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, Ca. 92101 BRANCH NAME: Central Hall of Justice		
PLAINTIFF: Alvin Hennington JR DEFENDANT: U.S. Customs/Border Protection		
<input checked="" type="checkbox"/> DOES 1 TO 1		
COMPLAINT—Personal Injury, Property Damage, Wrongful Death. <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Mission Prosecution <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input checked="" type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Other Damages (specify): Conflict of Interest, Sodomy, Rape, Entrapment, Defamation, Slander, Psychological, Torture		
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited		CASE NUMBER: 37-2008-00081249-CU-CR-CTL

1. Plaintiff (name or names): **Alvin Hennington JR**
 alleges causes of action against defendant (name or names):

U.S. Customs/Border Protection

2. This pleading, including attachments and exhibits, consists of the following number of pages:

3. Each plaintiff named above is a competent adult

a. ☐ except plaintiff (name):

(1) ☐ a corporation qualified to do business in California

(2) ☐ an unincorporated entity (describe):

(3) ☐ a public entity (describe):

(4) ☐ a minor ☐ an adult

(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) ☐ other (specify):

(5) ☐ other (specify):

b. ☐ except plaintiff (name):

(1) ☐ a corporation qualified to do business in California

(2) ☐ an unincorporated entity (describe):

(3) ☐ a public entity (describe):

(4) ☐ a minor ☐ an adult

(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) ☐ other (specify):

(5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE:

CASE NUMBER:

4. ☐ Plaintiff (name):

is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. ☒ except defendant (name): U.S Customs(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☒ an unincorporated entity (describe):DN, of home Land security Federal Law Enforcement(4) ☐ a public entity (describe):(5) ☐ other (specify):c. ☐ except defendant (name):(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):b. ☐ except defendant (name):(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):d. ☐ except defendant (name):(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

a. ☐ Doe defendants (specify Doe numbers): _____ were the agents or employees of other named defendants and acted within the scope of that agency or employment.b. ☒ Doe defendants (specify Doe numbers): (6) Six Agents are persons whose capacities are unknown to plaintiff.7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. ☒ at least one defendant now resides in its jurisdictional area.b. ☒ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.d. ☒ other (specify): Conflict of Interest! 18§248, 1362, 1363§305C
Conspiracy!9. ☒ Plaintiff is required to comply with a claims statute, anda. ☒ has complied with applicable claims statutes, orb. ☐ is excused from complying because (specify):

SHORT TITLE: *Alvin Hennington JR VS.*
U.S. Customs

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
 b. ☒ General Negligence
 c. ☒ Intentional Tort
 d. ☐ Products Liability
 e. ☐ Premises Liability
 f. ☒ Other (specify):

*295701NT, Eon1307,
 conspiracy, Adults with Disabilities 13172
 Stalking 42814031 et seq.
 conflict of Interest, Malicious Prosecution, Entrapment
 Death threats, Illegal use of Hipnosis, Thought implantation,
 Illegal use of subliminal messages to harm plaintiff,
 to Entrap Plaintiff and torture plaintiff, assault both
 physical, mental and sexual, Death threats, Threats to poison;*

11. Plaintiff has suffered

- a. ☒ wage loss
 b. ☒ loss of use of property
 c. ☐ hospital and medical expenses
 d. ☒ general damage
 e. ☒ property damage
 f. ☐ loss of earning capacity
 g. ☒ other damage (specify):

*conflict of Interest, Sodomy
 Related cases: GIC873566-37-2007-00082645-
 CU-NP-CTL, 37-2008-00076202-CU-CR-CTL, 37-2008-
 00079290-CU-DF-CTL, 37-2008-00080190-CU-DF-CTL
 Defendants were in violation of conflict of Interest ~~and~~ AAB*

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are Jan. 2007

- a. ☐ listed in Attachment 12.
 b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

Yes

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
 (2) ☒ punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) ☐ according to proof
 (2) ☒ in the amount of: \$ *800,000,000.00 eight Hundred Million*

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: *April 3, 2008*

Alvin Hennington JR.
Inproper

(TYPE OR PRINT NAME)

Alvin Hennington JR.

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

Declaration

FILED
CIVIL BUSINESS OFFICE 18
CENTRAL DIVISION

08 APR -3 PM 4:16

CLERK OF COURT
SAN DIEGO COUNTY, CASuperior court of California
Hall of Justice

330 West Broadway

San Diego, Ca. 92101-3827

Case #

37-2008-00081249-CU-CR-CTL

Charges Related to case
AND Related cases: Conflict ofInterlist, Entrapment, Malicious Prosecution
Falsifying medical Dianosis [Mental Health] Reports ect.
Malpractice, Scare tactics and Emascilation
RAPE
Case # GIC 873566 ~~ALVIN HENNINGTON SR~~ AH.37-2007-00082645-CU-NP-CTL, 37-2008-00076202
-CU-CR-CTL, 37-2008-0007920-CU-DF-CTLThese case ARE The Reason for
all charges and offences against Plaintiff:
Alvin Hennington SR. ALL charges

The defendants threaten to frame
me or set me up. members of the

San Diego Field office of The F.B.I.,

U.S. Customs

~~F.B.I.~~ and San Diego Police Department

Members were working together to
entrap me and commit crimes against

me. This has been going on since Before
Jan. 1, ¹⁹⁹²~~2000~~. I don't know if it goes back

Further or not. I do know that in 2002
members of law enforcement were
Following me and Harassing me. I also

know That members of the San
Diego County V.A. Medical center
on the 2nd Floor in La Jolla. Their
Proper Name is V.A. San Diego Healthcare
System. Address 3350 La Jolla Village
Drive San Diego, Ca. 92161. The
Staff of the second Floor. Took
Bribes From the Defendants in order

convince me that I was crazy and none of this happened.

The Truth was, I was illegally held against my will at V.A. San Diego Health care system on the second floor in 2002. Which is a Voluntary healthcare Facility, which means they had no right to do so. The staff forced me to take psychiatric medicine by lying to me and telling me if I didn't take the medicine and agree that it was a delusion, I would not be released. In Oct. 2006 I Filed a civil suite against San Diego Harbor Police, The Port of San Diego, San Diego Regional Airport Authority and Department of Homeland security, The Defendants were found guilty of Harassment.

1 Since Then My mother took a bribe, I think
2 By Force or Fear of her own Life or thru the use
3 of Lies by Defendants, I hope this is the
4 Case but I can only speculate
5 on whether it was Forced or Voluntary.
6 I recently Found out the party
7 that Deployed psyc. Agents was
8 in FACT U.S. Customs, I was
9 informed of this by people who
10 wish to Remain nameless, what
11 I do know is They have the
12 Power to do anything they want
13 to me and make it Look Like
14 an accident or coincidence or Like
15 I did of my own Free will
16 this scares me very Badly.
17 I know the statements I made
18 about hipnosis, Thought implantation
19 and subliminal suggestion sound
20 ~~all strange~~ strange to say the least.

what I know is The Federal
Government Banned Subliminal
Suggestion in Advertising. Why
would the Federal government
ban something that did not work?
Why are so many doctors investigat-
ed by Law enforcement for
Rape and molestation charges
and Found Guilty if it were not
true? The Fact is there would
not be so many if it were not
Factual and True. The Fact
is they can make you do anything
they want, AND Make it appear
to be free will or make you look
crazy or delusional ~~for~~ saying
they did. They have my life
in their hands, And have threatened
I'll harm me if I win my suite.

1 This Frightens me very badly
2 Because I Love life and don't
3 want to die and I don't want any
4 harm to come to my Family or
5 ~~Friends~~ Friends. ~~ALL~~ ^{ALL}

9
10 P.S. I also Found out
11 the Defendants have been in
12 contact with my Financial
13 institution - U.S.E Credit Union
14 10120 Pacific Heights Boulevard
15 San Diego, Ca. 92121, The
16 Reason was to make my
17 account over drawn on
18 Purpose for several months
19 in order to prevent me From
20 dealing with my cases and
21 to put me in financial Trouble

1 Against Plaintiff including mental Health
2 Issues are Fabricated in order to
3 Harm Plaintiff, discredit Plaintiff to
4 get all cases against Defendants dropped
5 or thrown out, which are all Direct
6 Violations of conflict of Interest
7 charges and Defamation charges
8 Proven by the Fact cases GIC 873566
9 and 37-2007-00082645-CU-NP-CTL which
10 are Both in Default if any charges
11 were not true why didn't any
12 defendants answer charges in
13 appropriate time ^{At} ~~and why~~ and
14 why did any Defendants move into
15 my complex or have any contact with
16 Family, Friends or Plaintiff.
17
18
19
20
21
22
23
24
25
26
27
28

1 trouble in my personal life
2 and to give Them something
3 to prosecute me for, so
4
5 They can either force me
6
7 to drop my ~~suit~~ and
8
9 cover-up my Rape charges
10
11 against defendants. This is
12
13 the only thing that makes
14
15 sense to me considering
16
17 the ~~Circumstances~~, Also the fact
18
19 the Defendants have gotten
20
21 me fired from my previous
22
23 job and are in contact with
24
25 my current job - Sullivan
26
27 moving and storage, All of
28
which are conflict of Interest.

1 Personally I don't know if one Party
2 Is committing crimes against me and
3 Blaming it on the other parties or if
4 they are all working together.
5
6

7
8
9 What I do know is, The Residents
10 of 5170 Clairemont Mesa BLVD units
11 21, 23, 5 and 9 have been claiming to
12 be San Diego Police, Federal
13
14
15
16

17 Bureau of Investigation and
18 now their latest U.S. Customs.
19 I also know they have psychological
20 training and have been using it
21 to torture me, I also know an
22 awful lot of people moved into my
23 mother's condo complex, one month
24 after my case went into Default.
25 I also know there are thousands of Houses
26 Apt and Condos in San Diego County.
27
28

SHORT TITLE:

CASE NUMBER:

ATTACHMENT (Number): _____ of _____

(This Attachment may be used with any Judicial Council form.)

(Add pages as required)

1 I don't know if the People in 5170 Clairmont
2 Mesa BLVD unit 21, 9, 5, 31 and 34 are San Diego
3 Police officers or Federal agents
4 what I do know is They confessed to
5 ~~Raping me~~ ^{Att,} Rape. The Females in unit 21
6 and 9 bragged to me and my Rectum still
7 Bleeds From the incident. I Request
8 Mal Practice, Felony Rape, Violation of
9 Adults with Disabilities, I also Request
10 ALL San Diego Police officers ~~that~~
11 or Federal agents that live in
12 5170 Clairmont Mesa BLVD unit 21 thru 34
13 that have psychological training loose
14 their licences to practice medicine
15 for crimes of psychological torture, Rape,
16 aiding and abetting, Breaking and entering
17 AND Violation of case # GIG 873566
18 where Defendants were Found Guilty of
19 Harassment and Detonation and Slander.
20 I Request The ATTORNEY GENERAL of
21

27 (If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

SHORT TITLE:

CASE NUMBER:

ATTACHMENT (Number):

Page of

(This Attachment may be used with any Judicial Council form.)

(Add pages as required)

1
2
3 The United States investigate all of
4 them and The American Medical
5 association be given their names
6 For Investigation. Because of the
7
8 Hipnosis Against my will, They know my Pen#
9
10 to my Bank account, my social security #,
11
12 my D.M.V. I.D. Card number, they even know memories
13
14 Both Real and the ones they implanted to
15 suppress my memory of the Facts. Which is
16 why I wrote everything down, they even
17 broke into my Room, Whats to prevent
18 them from using that information to
19 Rob me, or set me up, what will
20 stop them from telling some one else
21 the information, or Harming me in some other
22 way, they have already Harmed me Physically
23 and psychologically while sleep.
24
25
26
27

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 1

www.courtinfo.ca.gov

1 I Request The Director of
2
3 Homeland Security Washington
4
5 D.C. Pennsylvania are investigate
6
7 or order The Investigation of
8
9 All agencies connected to
10
11 these cases and I also
12
13 Request the Hipnosis and
14
15
16 mightly torture and Harassment
17
18 to stop. Please Forward
19
20
21 to The Director of the
22
23
24 Interior and The
25
26 U.S. Attorney General
27
28 For Review and Inquiry into
matter at hand.

8

SHORT TITLE:

Alvin Hennington JR vs. ~~State~~

1 Americans with Disabilities act. of 1990 (ADA)
 2 Short title, see 42 USCA §12101 Note Pub.L. 101-336,
 3 July 26, 1990, 104 Stat. 327 (29 § 706; 42 §§ 12101, 12101
 4 Note, 12102, 12111, 12111, note, 12112 to 12117, 12131, note,
 5 12132 to 12134, 12141, 12141 note, 12142 to 12150,
 6 12161, 12161 note, 12162 to 12165, 12181, 12181 note, 12182
 7 to 12189, 12201 to 12213; 47 §§ 152, 221, 225, 611) Pub.L. 102-
 8 166, title I §109(a), (b)(2), Title III §315, Nov. 21, 1991, 105 Stat. 1077
 9 Adults with Disabilities 29 § 701 nt, Eon 13078 13172
 10 Privacy Protection civil liberties Protection officer, 50
 11 §403-3d Privacy Protection act of 1980
 12 42 USCA §2000a Note Pub.L. 96-440, Oct. 13, 1980, 94
 13 Stat. 1879 (42 §2000a, 2000a-5 to 2000a-7, 2000a-11,
 14 2000a-12) Pub.L. 104-208, Div. A, Title I and 101(a) Title I,
 15 §121 subsection 6] Sept. 30, 1996, 110 Stat. 3009-30
 16 [42 §2000a] Postal Service [Title 39] Pub.L.
 17 86-682 §1, Sept. 2, 1960, 74 Stat. 578, as Revised and
 18 Reenacted by Pub.L. 91-375, §2, Aug. 12, 1970, 84 Stat. 719
 19 (39 and 101 et seq.) Process, interception of wire, oral
 20 or electronic communications 50 and 1806
 21 Racial Profiling Highways and roads, Law Enforcement
 22 Prohibiting, Grants 23 §402 nt, (18 §245)
 23
 24
 25

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers): 7 HATE CRIME

This page may be used with any Judicial Council form or any other paper filed with the court.

Page 1

SHORT TITLE:

Alvin Harrington vs ~~San Diego Police Department~~ A.H.

CASE NUMBER:

Entry upon land 50 § 1804

PEO V TIMMS 179 ca. 3d 86 (86)

Damages 6 § 145; 18 § 2511; 50 § 1810

Department of Veterans Affairs Act.

Pub. L. 100-527, Oct. 25, 1988, 102 Stat. 2635 [3 § 19; 5 § 101,

901 Note § 5312 to 5316; SAPP § 2, 11; 38 §§ 201 Note § 210,

1000] Pub. L. 101-94, Title IV, § 401, Aug. 16, 1989, 103 Stat.

628 [38 § 201 Note] Pub. L. 101-576 Title II § 205(c) [2], Nov. 15

1990, 104 Stat. 2845 [38 § 201 Note]

Disabled American Veterans acts

June 17, 1932 ch 268 47 Stat. 320 [See §§ 50301 to

50308] July 15, 1942, C, 505, 56 Stat. 659 [See 36 §§

50301 to 50308] Dec. 18, 1967, Pub. L. 90-208, § 1, 81 Stat.

655 [36 § 901] Aug. 12, 1998 Pub. L. 105-225, § 6(b) 112 Stat. 1506

[36 §§ 90a to 90k] Substance Abuse and Mental Health

Services 42 §§ 290aa et seq. 300x et seq. Health

Services centers 42 § 300x et seq. Fraud 42 § 300x-56

Stalking Generally 42 § 14031 et seq. Advocacy

Victims 42 §§ 13925, 14043 confidential or privileged

Protection 42 § 14043b-4 Handicapped Persons 42 § 3796

99-7 speech Impairment 40 § 18101 et seq. unjust Imprison-

ment, Damage 28 § 1495 Kidnapping 18 § 1201 Fraud

18 USSG § 2F1.1 et seq. Domicile and Residence 28 § 992

conspiracy 18 USSG § 2x1, 1 Torture 18 § 2340A, Drugs and

medicine 18 § 3583 medical malpractice Veterans 38 § 501

42 § 11115 § 11115 video 18 § 1801 Dwelling 42 § 2000aa-6

18 § 2236 civil rights 28 § 1343

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers):

This page may be used with any Judicial Council form or any other paper filed with the court.

Page 2

SHORT TITLE:

CASE NUMBER:

~~San Diego~~
Adrian Hennington vs ~~Police Dept~~

Privacy Protection officer 508403-3d Privacy act of
1974, 58552a Electronic 4483501NT
False arrest, Entrapment, ~~False arrest~~ A.H.
criminal conspiracy to prevent me from winning
cases, Falsifying Police Reports, Falsifying
Criminal records, installed video ~~surveillance~~ A.H.
Cameras, microphones and bugging devices in
Home, committed ~~psychological~~ psychological and
Physical torture daily, made death
threats against me and my Family.
threatened to lock me up on Phoney
criminal charges, threatened to
kidnap me and Followed through
with it, ~~which~~ ^{A.H.} with the aid of
county mental Health and a
criminal staff, who held me
down and injected me with psychiatric
medication and illegally confined me.

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers):

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Page 3

Conflict Interest

Conflict
of
Interest

1 Malicious Prosecution; Tort Claims act, exception;
2 Claim arising 28 § 2680 Malicious mischief Generally
3 18 § 1361 et seq. Conspiracy 18 §§ 1362, 1363 § 3050
4 Civil Rights conspiracy 42 § 1985 et seq. Definition
5 18 § 248; Bank Fraud, Continuing Financial crimes
6 Enterprise 18 § 225 Agents and Agencies, officers and
7 Employees of Government 18 § 205, 216 Bribery and
8 corruption 18 § 201 Federal Agencies 44 § 3549
9 Judges of Justices Disqualification 28 § 455
10 Definitions 18 § 202, 207 United States citizens
11 Loyalty 22 § 287 nt, Eon 10422-Information 15 § 1330b
12 19 § 126 et seq. Customs Duties Generally
13 Definitions 19 § 140 Investigations 19 § 1677m
14 Johnson Act Debt Default act [Debt Default Act]
15 April 13, 1934, ch 112, 48 stat. 574 [see 18 § 955] July 3, 1945 ch.
16 339, § 9, 59 stat. 516 ~~1945 ch. 339, § 9, 59 stat. 516~~ [31 § 804b] 42 § 5024
17 Recovery 18 § 218 Legal services 42 § 2996b
18 Accounting and oversight board 15 §§ 78j-1721 et seq.
19 42 § 264 United States court of Appeals for the
20 Federal circuit 18 §§ 204, 216
21 ALSO to Answer the claim and of
22 Rumor About H.I.V. I had myself tested
23 at the V.A. San Diego Healthcare system
24 twice in ~~2007~~ ²⁰⁰⁷ to be safe, I have not
25 had sex voluntarily in seven months, except
26 when I was Raped Jan. 29-08 Approximate Date

SHORT TITLE:

CASE NUMBER:

ATTACHMENT (Number):

Page of

(This Attachment may be used with any Judicial Council form.)

(Add pages as required)

2 The Test Results were negative for all
3 Sexually transmitted Diseases. To Address
4 the concerns about my criminal and
5 medical Records, I know from 1987 thru 2008,
6 I had only 3 arrests, ALL were False arrest.
7 The first one was in 1991, The arresting
8 officer was Deputy Steel of The Lemon-
9 Grove Sheriff's Department. For reasons
10 unknown to me at the time, Deputy Steel
11 Hated me, I didn't know why he hated
12 me so much, what I did know was
13 he went out of his way to pick on
14 me and my Friends. My Manager at the
15 Kenwood Apts. in Spring Valley, Ca, where
16 used to live, Caught Deputy Steel looking
17 through my window with a pair of Binoculars.
18 on the day of the Arrest, I was working
19 for Spring Valley Recycling center, I had
20 Just gotten off work at 5pm. I walked
21
22
23
24
25
26
27

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SHORT TITLE:

CASE NUMBER:

ATTACHMENT (Number):

Page of

(This Attachment may be used with any Judicial Council form.)

(Add pages as required)

③
1 to Goodland Acres Park Approximately 5 min.
2 walk from my job. Me and my friends hung out
3 their ~~to~~ talk and drink Beer after ~~work~~ work.
4 I bought A beer from Park market and walked
5 into the park to ~~so~~ ^{Att.} ~~socialize~~ ^{Att.} hang out
6 with my friends, Approx. 5:10 p.m. to 5:15 p.m.
7 Deputy steel showed up. He claimed I was
8 Drunk in public, I don't know of anyone
9 who can get drunk in 5 min. or in 10 min. NO
10 matter what or how fast they are drinking.
11 What I do know is I was arrested for ~~what~~ ^{Att.} what
12 should have been a ticket, [open container]
13 or a warning, since I had no criminal
14 record or prior offences, The Judge
15 Ruled in my Favor. All Charges were
16 Thrown out, Illegal ~~search~~ search and
17 seizure and False Arrest. The Deputy was
18 suspended, My Father in Law got his bail
19 money back and Steel was investigated
20 by internal affairs, ~~and the~~

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SHORT TITLE:

CASE NUMBER:

ATTACHMENT (Number):

Page of

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(Add pages as required)

I Later Found out from Tina Erickson, my now ex-wife, that she used to Volenteer at the Sheriff's Dept in Lemon Grove when she was a teenager. I also know she was in a youth Deversion camp before. She told me that her and some of the other girls would drink and use drugs with the coueslars [Deputies]. Steel was one of them another one was a Deputy David night. My Ex-wife told me they liked her a lot, Deputy steel ~~Allegatad~~ invited her to Mexico with him to party, when she was 15 years old. and used to allways Give her rides home from work. This would explain why he hated me so Badly and Tried to set me up and make me swing on him. The really sad Part is everthing my Ex-wife told me

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SHORT TITLE:

CASE NUMBER:

ATTACHMENT (Number): _____

Page _____ of _____

(This Attachment may be used with any Judicial Council form.)

(Add pages as required)

5 including the sex and Prostitution, I did not
6 believe, ~~until~~ until ALL the trouble started
7 with the Fake mental Health issues, False -
8 arrest in 2008 again, this time by San Diego
9 Police Dept. This was Conflict of Interest
10 because I had a suite Filed in 2007 which
11 was Already in Default when the Arrest
12 was made and the False charges were
13 made.
14

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SHORT TITLE:

CASE NUMBER:

ATTACHMENT (Number):

Page of

(This Attachment may be used with any Judicial Council form.) (Add pages as required)

1 I Look Like The defendants are
2 up to their old Tricks, Telling me two
3 or three different stories, so I can't tell
4 which one is true. the first one is they
5 are taking the subliminal messages out?
6 The second they are making sure
7 no one else can do that to me
8 and they get blamed for it? The
9 third and most troubling to me is
10 Their boss told them to go ahead
11 and put the subliminal messages in
12 to kill me, Because it's less trouble
13 for them to kill me NOW, Than to watch
14 me. For the rest of my Life to make
15 sure no one else does the same thing?
16 I hope AND pray this is not true,
17 The Defendants have the skills and training to
18 do just that, I pray I am wrong
19
20
21
22
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27

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Page 1 of 1

DATE OF INCIDENT March 4 7 8 - 08

Conflict of
Interest 18 § 248,
2680

①

Let the record show, The Defendants
Are up to new ways to Entrapp and Maliciously
Prosecute and Violate Conflict of Interest Laws
28 § 2680, 18 § 1361 ET seq. 18 § 205, 216, 44 § 3549, 19 § 1677
ETC. The Defendants latest trick or violation is to
make a situation look real that is not, I don't know
the extent of all their tricks or how many are
involved [conspiracy 19, 18 §§ 202, 207 18 § 1362, 1363 § 3050] But I do
know they all have something to gain And I don't
really Believe in chance or bad luck especially
Since all of this started the second I Filed
the Rape Charges against the Defendants for
Either committing the crime, Refusing to prosecute,
Refusing to investigate or [conspiracy 18] helping
to commit crimes or simply having ~~knowledge~~ all
knowledge of the crimes committed against me
and doing nothing to stop it or arrest all
who participated in the crime against me.
What they have been doing is having people,
Agent or officers posted on the street usually
Male or Elderly and sometimes kids, who are
either paid off or already work for defendants in
what capacity I don't know, what I do know is if
you are walking and someone starts walking

② in step with you very close to you, which
is an invasion of Privacy and Personal space,
If someone takes a picture it will appear like
you are together even though you are not.
The other one that I noticed, I don't know how
many there are total, Is for me to be
standing either in line or at a crosswalk
and accidentally on purpose turn around
or ~~later~~ walk and pretend like they were not
looking and stop about 6 to 10 inches from my
face or ask me a question they already
know the answer to. If someone were
to take a picture it would look like
we were together or kissing which
is not true, or they will have kids
run into you on purpose, ~~and~~ ALL I know
is all of this looks like Entrapment and
Conflict of Interest Law Violation 18 § 248,
§ 205, 216 § 201, 202, 207

JAN 29-08

Date of incident

ON the Night in question
I was in my bed asleep
I awoke the next day,
to my ass hurting, ~~at first~~
I didn't know what happened,
I was confused and groggy.
my ~~test~~ head felt light
and ~~test~~ fuzzy, I was outside,
my mom's condo door ~~of~~ smoking
I heard the police ~~officers~~
officers upstairs laughing, I
ignored it because, over
75 officers, 30 of which have
moved into my complex
Since my civil case for
2.5 million went into default and
they found out they couldn't
blow the case ~~legally~~ ~~legally~~
legally. they decided to move
into my complex and PREASURE
into dragging the case through
use of harassment, entrapment
intimidation and death threats,
they also either hired or
already had in their employ
psychologists or psyciatrists, I
don't know which they are
but I do know they have
bugged my house put a
camera in my ~~bedroom~~ bathroom

(2)

And used ~~it~~ it to tease me,
laugh at me and make grunting
noises when I go to the restroom.
They use hypnosis to harass me, ~~and~~
~~to~~ scare me, cut me and to
taunt me, I heard the woman
that lives upstairs, ~~ask~~ ask me
how does my ass feel? and laughed
at me, Then told me that ~~for~~
She and the other female Police
officers upstairs used drugs on
me, hypnosis on me and Fucked
me in my ass while I was
UNCONSCIOUS in my bed last night.
I think she told me ~~what~~ this
to scare me, ~~and~~ to embarrass
and degrade me into dropping
my lawsuits, ~~and~~ I was embarrass-
ed, scared and very angry
especially when the male
officers started to tease
me, laugh at me and other
female officers would point
at my ass and laugh at me
to embarrass me into not reporting
it to anyone, At first it worked
then I finally realized I did
nothing wrong And I could not
prevent it from happening
being a man this is very
embarrassing to say,

(3)

For a while I didn't say anything to anyone about this subject, I guess I never thought a woman would ever do something like this, I still can't believe it happened, at first I told myself it didn't happen that they were all lying until I went to the bathroom and blood came out of my asshole ~~and~~ and I found myself putting neosporin antibiotic ointment on my ass and my tailbone being sore. ~~with it~~

All the people that laughed at me or told me what happened would only know if they had something to do with it or if they knew who did I think this is the worst feeling in the ~~whole~~ world for me.

because the police are supposed to uphold the law, not break it, so who do you tell when they

RAPE you ~~and~~ with a dildo and take turns while you are knocked out

DATE of offence
~~Sex offenses~~ Jan. 29-08
APPROXIMATE

Sex offenses:

- sentence and punishment, 18 USC § 261.1
- ~~Aggravated~~ Aggravated Sexual Abuse, 18 § 2241
- Assault with intent to commit, 18 § 113
- Conspiracy 18 § 241
- Elements of Crime 18 § 2242
- Force, aggravated sexual abuse
- Rendering unconscious 18 § 2241
- Drugs and medicine, 21 §§ 801 AT, 802, 812 NT, 827, 841, 960
- Grievous Bodily ~~Harm~~ ~~Enrichment~~
- Injury, 18 § 2246 controlled substances, 18 § 2241 RAPE, Generally 42 § 13941 et seq
- Sexual Assault, 42 § 16945
- Justice Department, SMART office, 42 § 16945

Sexual Abuse ACT. of 1986

Short title see 18 USCA § 2241

Note! Terrorism Generally 18 § 2331 et seq.

Searched and seizures

18 § 987 conflict of Interest: Agents and Agencies, officers and employees of Government

18 §§ 205, 216 § 225

Federal agencies 44 § 3549 §

16844 § 42 § 2996d

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Attorneys for Defendant
United States of America

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ALVIN HENNINGTON, JR.
Plaintiff,

v.

U.S. CUSTOMS AND BORDER
PROTECTION,
Defendant.

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

No. '08 CV 0859 JLS BLM

CERTIFICATE OF SERVICE

ss.

IT IS HEREBY CERTIFIED that:

I, Jaclyn R. Penley, am a citizen of the United States over the age of eighteen years and a resident of San Diego County, California; my business address is 880 Front Street, Room 6293, San Diego, California; I am not a party to the above-entitled action; and

On May 14, 2008, I deposited in the United States Mail at San Diego, California, in the above-entitled action, in an envelope bearing the requisite postage, a copy of the following:

- Notice of Removal of a Civil Action
- Ex Parte Application for an Order Establishing Time for United States to Respond to Complaint

addressed to:

Alvin Hennington, Jr.
5170 Clairemont Mesa Blvd., Unit 4
San Diego, CA 92117

ORIGINAL

1 the last known address at which place there is delivery service of mail from the United States Postal
2 Service. I declare under penalty of perjury that the foregoing is true and correct.

3 Executed on May 14, 2008.

4 
5 Jaclyn R. Penley
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JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS ALVIN HENNINGTON, JR.	DEFENDANTS U.S. CUSTOMS AND BORDER PROTECTION <div style="text-align: right; font-weight: bold;">FILED</div> <div style="text-align: right;">2008 MAY 14 AM 10:44</div>
(b) County of Residence of First Listed Plaintiff <u>San Diego</u> (EXCEPT IN U.S. PLAINTIFF CASES)	County of Residence of First Listed Defendant _____ (IN U.S. PLAINTIFF CASES ONLY)
(c) Attorney's (Firm Name, Address, and Telephone Number) N/A - Pro se 5170 Clairemont Mesa Blvd., Unit 4 San Diego, CA 92117	NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. Attorneys (If Known) BY <u>EWL</u> DEPUTY Christopher B. Latham Assistant United States Attorney 880 Front St., Rm. 6293 San Diego, CA 92101

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)																
<table style="width:100%;"> <tr> <td style="width:50%;"> 1 U.S. Government Plaintiff </td> <td style="width:50%;"> 3 Federal Question (U.S. Government Not a Party) </td> </tr> <tr> <td> X 2 U.S. Government Defendant </td> <td> 4 Diversity (Indicate Citizenship of Parties in Item III) </td> </tr> </table>	1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)	X 2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)	<table style="width:100%;"> <tr> <td style="width:50%;"> Citizen of This State PTF DEF </td> <td style="width:50%;"> Incorporated or Principal Place of Business In This State PTF DEF </td> </tr> <tr> <td style="text-align: center;">1 1</td> <td style="text-align: center;">4 4</td> </tr> <tr> <td style="text-align: center;">Citizen of Another State</td> <td style="text-align: center;">Incorporated and Principal Place of Business In Another State</td> </tr> <tr> <td style="text-align: center;">2 2</td> <td style="text-align: center;">5 5</td> </tr> <tr> <td style="text-align: center;">Citizen or Subject of a Foreign Country</td> <td style="text-align: center;">Foreign Nation</td> </tr> <tr> <td style="text-align: center;">3 3</td> <td style="text-align: center;">6 6</td> </tr> </table>	Citizen of This State PTF DEF	Incorporated or Principal Place of Business In This State PTF DEF	1 1	4 4	Citizen of Another State	Incorporated and Principal Place of Business In Another State	2 2	5 5	Citizen or Subject of a Foreign Country	Foreign Nation	3 3	6 6
1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)																
X 2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)																
Citizen of This State PTF DEF	Incorporated or Principal Place of Business In This State PTF DEF																
1 1	4 4																
Citizen of Another State	Incorporated and Principal Place of Business In Another State																
2 2	5 5																
Citizen or Subject of a Foreign Country	Foreign Nation																
3 3	6 6																

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excl. Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability X 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury	PERSONAL INJURY 362 Personal Injury - Med. Malpractice 365 Personal Injury - Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability	610 Agriculture 620 Other Food & Drug 625 Drug Related Seizure of Property 21 USC 881 630 Liquor Laws 640 R.R. & Truck 650 Airline Regs. 660 Occupational Safety/Health 690 Other	422 Appeal 28 USC 158 423 Withdrawal 28 USC 157 PROPERTY RIGHTS 820 Copyrights 830 Patent 840 Trademark SOCIAL SECURITY 861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI 865 RSI (405(g)) FEDERAL TAX SUITS 870 Taxes (U.S. Plaintiff or Defendant) 871 IRS—Third Party 26 USC 7609	400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 810 Selective Service 850 Securities/Commodities/Exchange 875 Customer Challenge 12 USC 3410 890 Other Statutory Actions 891 Agricultural Acts 892 Economic Stabilization Act 893 Environmental Matters 894 Energy Allocation Act 895 Freedom of Information Act 900 Appeal of Fee Determination Under Equal Access to Justice 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	441 Voting 442 Employment 443 Housing/Accommodations 444 Welfare 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 440 Other Civil Rights	510 Motions to Vacate Sentence Habeas Corpus: 530 General 535 Death Penalty 540 Mandamus & Other 550 Civil Rights 555 Prison Condition			

V. ORIGIN (Place an "X" in One Box Only)						Appeal to District Judge from Magistrate Judgment
1 Original Proceeding	X 2 Removed from State Court	3 Remanded from Appellate Court	4 Reinstated or Reopened	5 Transferred from another district (specify)	6 Multidistrict Litigation	

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <u>28 U.S.C. 1442 and 1446</u> Brief description of cause: <u>Personal injuries from slander, harassment, defamation and racial profiling</u>
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VII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$ 850,000,000.	CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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VIII. RELATED CASE(S) IF ANY	(See instructions):	JUDGE <u>Hon. John A. Houston</u>	DOCKET NUMBER <u>08cv0221 JAH (LSP)</u>
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DATE 5/14/08	SIGNATURE OF ATTORNEY OF RECORD 
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FOR OFFICE USE ONLY	RECEIPT # _____	AMOUNT _____	APPLYING IFP _____	JUDGE _____	MAG. JUDGE _____
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